



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

Authorized Agent for Secured Creditor
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Fairfield, NJ 07004
Telephone: 973-575-0707
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Harold Kaplan (HK0226)

In Re:

Fred C. Bauer, Jr.,

Debtor,

Case No.: 18-12566-MBK

Chapter: 13

Hearing Date: October 20, 2020

Judge: Michael B. Kaplan

**AGREED ORDER RESOLVING SECURED CREDITOR'S CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: November 9, 2020

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Secured Creditor: NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Andrew Thomas Archer, Esq.

Property Involved ("Collateral"): 3 Pinyon Street, Howell, New Jersey 07731

Relief sought: ■ Certification of Default

For good cause shown, it is **ORDERED** that Secured Creditor's Certification(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 1 month from October 1, 2020.
- The Debtor is overdue for 1 payment from October 1, 2020 at \$1,969.59 per month.

Funds Held In Suspense \$1,288.88.

Total Arrearages Due \$680.71.

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$680.71. Payment shall be made within 14 days of entry of this Order.
- Beginning on November 1, 2020, regular monthly mortgage payments shall continue to be made in the amount of \$1,969.59.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Immediate cure payment: Nationstar Mortgage LLC
Attn: Bankruptcy Dept
PO Box 619094
Dallas, TX 75261-9741

■ Regular monthly payment: Nationstar Mortgage LLC
Attn: Bankruptcy Dept
PO Box 619094
Dallas, TX 75261-9741

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

To the Secured Creditor within _____ days.

Attorneys' fees are not awarded.

6. In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.

The undersigned hereby consent to the form and entry of the foregoing order.



Andrew Thomas Archer, Esq.
Attorney for Debtor(s)

Date: *11/5/2020*

/s/ Harold Kaplan

Harold Kaplan, Esq.
Attorney for Secured Creditor
Date: 11/5/2020